

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number

1000-0484

Case Title:

Shell Puget Sound Refinery

Reporting Office:

Seattle, WA, Area Office

Subject of Report:

Interview of Jesse Milner

Activity Date:

April 7, 2015

Reporting Official and Date:

(b) (6), (b) (7)(C)

Special Agent

04-MAY-2015, Signed by (b) (6), (b) (7)(C)

Approving Official and Date:

(b) (6), (b) (7)(C)

Assistant Special Agent in Charge

04-MAY-2015, Approved by (b) (6), (b) (7)(C)

Assistant Special Agent in Charge

SYNOPSIS

On April 7, 2015, U.S. Environmental Protection Agency (EPA) – Criminal Investigation Division (CID) Special Agent (b) (6), (b) (7)(C) conducted a conference call with (b) (6), (b) (7)(C) and John Ross, corporate legal counsel for the Center for Toxicology and Health (CTEH). The purpose of the call was to discuss what (b) (6), (b) (7)(C) was contracted to do for the Shell Puget Sound Refinery after the refinery had an odor release that occurred on February 20, 2015.

DETAILS

On April 7, 2015, U.S. Environmental Protection Agency (EPA) – Criminal Investigation Division (CID) Special Agent (b) (6), (b) (7)(C) conducted a conference call with (b) (6), (b) (7)(C) and John Ross, corporate legal counsel for the Center for Toxicology and Health (CTEH). The purpose of the call was to discuss what (b) (6), (b) (7)(C) was (b) (6), (b) (7)(C) the Shell Puget Sound Refinery after the refinery had an odor release that occurred on February 20, 2015.

This interview was consensually audio recorded by SA (b) (6), (b) (7)(C). Prior to questioning, the Special Agent (b) (6), (b) (7)(C) identified (b) (6), (b) (7)(C) and advised (b) (6), (b) (7)(C) that the telephone conversation was being recorded. (b) (6), (b) (7)(C) acknowledged that the conversation was being recorded and provided the information contained in this report, unless otherwise noted.

This Investigative Activity Report is a summary of the pertinent statements at this point in the investigation made during the course of this interview. This summary is not a verbatim transcription of the interview. A digital recording is maintained in evidence.

The interview began at approximately 10:30 AM.

5:20 – (b) (6), (b) (7)(C) advised that (b) (6), (b) (7)(C)

Health. (b) (6), (b) (7)(C)

with the Center for Toxicology and

(b) (6), (b) (7)(C)

6:40 – (b) (6), (b) (7)(C) discussed how (b) (6), (b) (7)(C) was called to the Shell Refinery. (b) (6), (b) (7)(C) reports that a call came into the help desk. One of the toxicologists at the help desk contacted (b) (6), (b) (7)(C) and requested that (b) (6), (b) (7)(C) conduct community air monitoring for the Shell Refinery. (b) (6), (b) (7)(C) did not know what day the call came in.

8:05 – (b) (6), (b) (7)(C) advised that (b) (6), (b) (7)(C) was called to respond on February 21, 2015. (b) (6), (b) (7)(C) stated that someone from CTEH operations got a hold of (b) (6), (b) (7)(C) and advised (b) (6), (b) (7)(C) where to go. (b) (6), (b) (7)(C) was able to respond on February 21st and (b) (6), (b) (7)(C) responded alone.

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9:00 – (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) met with Shell employees. (b) (6), (b) (7)(C) met with (b) (6), (b) (7)(C) at the Refinery. (b) (6), (b) (7)(C) stated that Shell had a small team working on the issue when (b) (6), (b) (7)(C) arrived.

10:25 – (b) (6), (b) (7)(C) stated that Shell employees told (b) (6), (b) (7)(C) that they had received odor complaints by members of the community. Shell employees requested that (b) (6), (b) (7)(C) conduct community air monitoring south of the refinery and to determine if (b) (6), (b) (7)(C) monitoring equipment could detect any air quality substances of concern.

11:00 – (b) (6), (b) (7)(C) discusses what (b) (6), (b) (7)(C) means by “community air monitoring.” It includes monitoring outside the refinery. Shell employees directed (b) (6), (b) (7)(C) where to monitor based on where the air complaints were coming from.

12:00 – (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C), along with Shell employees, looked at a map of the area and developed a plan on where (b) (6), (b) (7)(C) should monitor. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) was able to choose the route once (b) (6), (b) (7)(C) was in the field.

13:00 – (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) monitored for H2S, SO2, Carbon Monoxide, Benzene, and Volatile Organic Compounds.

14:00 – (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) monitored Benzene using an Ultra Rae 3000. (b) (6), (b) (7)(C) used a Multi Rae Plus to monitor the other four compounds.

15:00 – (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) did not personally observe an odor or irritant in the air as (b) (6), (b) (7)(C) drove around conducting (b) (6), (b) (7)(C) air monitoring. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) began air monitoring at 1906 hours on February 21st and ended at 2118 hours. Then on February 22nd (b) (6), (b) (7)(C) began air monitoring at 0702 hours and ended at 1430 hours.

16:15 – (b) (6), (b) (7)(C) discussed how (b) (6), (b) (7)(C) took readings in the community on the 21st and 22nd.

17:25 – (b) (6), (b) (7)(C) stated that when (b) (6), (b) (7)(C) completed (b) (6), (b) (7)(C) community air monitoring on the 22nd, (b) (6), (b) (7)(C) called Shell to discuss the findings.

18:25 – (b) (6), (b) (7)(C) stated that Shell representatives did not specifically say they had an air release. They told (b) (6), (b) (7)(C) that the refinery was receiving odor complaints. Shell did not tell (b) (6), (b) (7)(C) when they began receiving odor complaints.

19:00 – John Ross confirmed what additional information and documentation that SA (b) (6), (b) (7)(C) was looking for from CTEH.

Ross requested that a copy of the audio recording be sent to him at (b) (6), (b) (7)(C). Ross provided his office number (b) (6), (b) (7)(C).

On April 9, 2015 a copy of the audio recording was sent to the address provided by Ross via UPS. The tracking number for the delivery is 1Z31F0A80196074938.

The audio recording was ended at 1052 hours.

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